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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Reid W. von Borstel

Atty. Ref.: 1331-337

Serial No. 09/838,136

Group: 1632

Filed: April 20, 2001

Examiner: Josephine Young

For: COMPOSITIONS AND METHODS FOR TREATMENT OF  
MITOCHONDRIAL DISEASES

\* \* \* \* \*

April 24, 2003

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO-1449, a copy of each of which is enclosed. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The significance of these publications is as follows:

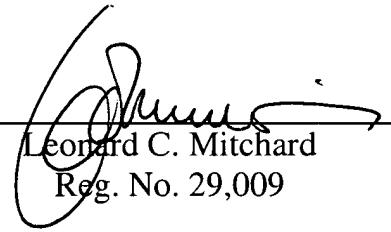
The '914 patent describes the use of certain acyl derivatives of uridine for preventing or treating toxicity due to, *inter alia*, 3'-azidodeoxythymidine (AZT) and dideoxycytidine (ddC) (see Abstract and column 11, lines 30 and 32). The Chen publication discloses that AZT and ddC reduced the mitochondrial DNA content in a human lymphoblastoid cell line (Summary). The Keilbaugh publication discloses that DNA replication in undifferentiated PC12 cells is impaired in mitochondria isolated from cells grown in the presence of ddC. Keilbaugh also discloses that the addition of uridine and pyruvate to uninduced cells growing in the presence of ddC results in an average rescue efficiency of 51% (Summary).

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The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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